



Office of the City Manager

CONSENT CALENDAR
January 19, 2021

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Jordan Klein, Interim Director, Planning and Development Department
 Subject: Contract Amendments: Plan Check Services

RECOMMENDATION

Adopt two Resolutions authorizing the City Manager to execute contract amendments for an additional amount of \$500,000 each, to new total amounts not to exceed \$1,500,000 for each contract, and extending the terms of the contracts for a one-year period to June 30, 2022 with:

- West Coast Code Consulting, Contract No. 119641-2
- Telesis Engineers, Contract No. 119639-1

FISCAL IMPACTS OF RECOMMENDATION

Fees paid by project applicants to the Permit Service Center Fund fully cover the cost of contracted plan check, inspection and special services for the Building and Safety Division. Plan check fees are assessed at 65% of the building permit fee and received under revenue code 621-53-585-634-0000-000-000-446140. Contracts are used on an as-needed basis, which varies based on the level and complexity of projects and staffing levels.

Contractor	Contract No.	Current Not-to-Exceed Amount	This Amendment	New Not-to-Exceed Amount
West Coast Code Consultants	119641-2	\$1,000,000	\$500,000	\$1,500,000
Telesis Engineers	119639-1	\$1,000,000	\$500,000	\$1,500,000
TOTAL		\$2,000,000	\$1,000,000	\$3,000,000

The resolutions amend these two contracts for a total additional expenditure of \$500,000 per contractor, to new total not-to-exceed amounts of \$1,500,000 per contractor. The Planning Department has budgeted \$1.23 million for professional services in FY 2021, primarily for plan check contractors, of which \$725,000 remains. The Planning Department will budget a similar amount for FY 2022.

CURRENT SITUATION AND ITS EFFECTS

These contracts are typically used for complex, larger projects which require extensive plan review time, as well as other project types during periods where there is an especially high volume of permitting activity or unanticipated staff shortages. Since fees for plan check services cover all costs associated with the use of such outside consultants, these proposed amendments would be fully funded by project applicants through plan check fees collected upfront at the time of the initial submittal.

As shown in the table below, the Planning Department will soon meet the not-to-exceed amounts in the contracts with West Coast Consultants and Telesis Engineers. The existing amounts in these two contracts are expected to be depleted in January 2021 if no further action is taken, due to the number of permit applications which have recently been submitted for large projects. The Building and Safety Division’s third contractor for plan check services, Interwest Consulting, still has almost \$400,000 remaining in its contract, so no additional funds are needed for this contractor.

Contractor	Encumbered	Invoiced	Remaining*
West Coast Code Consultants	\$903,906	\$871,905	\$128,095
Telesis Engineers	\$965,000	\$881,272	\$118,728
*Amounts as of Dec 15, 2020			

BACKGROUND

The City released a Request for Proposals (RFP) on November 1, 2017 for plan check services (Specification No. 18-11174-C). Planning staff received and reviewed a total of 10 proposals and selected four contractors: West Coast Code Consultants, Telesis Engineers, Interwest Consulting Group and 4 Leaf, Inc. Contracts were executed in May and June of 2018, with expiration dates of June 30, 2021 and not-to-exceed amounts of \$1,000,000 for West Coast Code Consultants and Telesis Engineers, \$700,000 for Interwest Consulting Group, and \$300,000 for 4 Leaf, Inc.

The Planning and Development Department has established performance measures that provide benchmarks for permit services including plan checking and inspections. The department has maintained contracts for outside plan check services to ensure reasonable turnaround times for customers since 1989. The contracts provide:

- Plan review services for all types of projects
- Temporary in-house plan check support
- Temporary staff for field inspection services
- Review for high rise projects including special life safety features
- Structural specialty reviews such as Soft Story, URM, and complex structural systems
- Geotechnical review by a qualified engineer

- Accelerated plan reviews upon applicant request, at their expense
- Recommendations regarding alternative materials and methods of construction
- Facilitating and participating in structural advisory committee panels

The selected firms have adequate capability to meet current and expected demand for outside plan check services. The firms have considerable expertise and familiarity with City procedures, and provide quality service at competitive prices. Because the use of the service depends largely on the number and complexity of private building projects, it has been common for the City to amend such contracts to increase the authorized amounts as needed, especially during periods of increased service needs.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects associated with this report.

RATIONALE FOR RECOMMENDATION

Consultant services are needed for the Building and Safety Division to maintain a turnaround time for plan review that meets the City's performance requirements, and the expectations and needs of the community. Consultants can be used flexibly when volume is higher than staff can handle, to maintain necessary services during unforeseeable staff shortages, or if the City prefers not to increase staff beyond what it deems to be a sustainable level. Consultants also provide specialized expertise.

Without these outside services, review time would be increased substantially, particularly on large and complex projects. Amending contracts with the existing contractors without going through a new procurement process is the most resource-effective manner to continue these services.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Jenny McNulty, Resilient Buildings Program Manager, 510-981-7451
Alex Roshal, Building Official, 510-981-7445

Attachments:

1. Resolution: West Coast Code Consulting
2. Resolution: Telesis Engineers

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 119641-2 AMENDMENT: WEST COAST CODE CONSULTING TO
PROVIDE PLAN CHECKING SERVICES

WHEREAS, the City of Berkeley has utilized the services of private plan checking consultants since 1989 to provide expertise and the flexibility to respond to varying work demand; and

WHEREAS, there is a continuing need for flexibility to provide timely plan review when City staff are not available to provide the required services within the timeframe established to meet the City's performance requirements; and

WHEREAS, ten firms responded to a Request for Proposals released on November 1, 2017 (Specification No. 18-11174-C) and a selection committee reviewed the proposals and determined that Telesis Engineers, Interwest Consulting Group, West Coast Code Consulting and 4 Leaf, Inc were the best qualified to provide the services needed; and

WHEREAS, contracts were executed with these vendors in 2018, which will expire June 30, 2021; and

WHEREAS, the cost of the contracted services and overhead is fully recoverable in plan check fees paid by applicants; and

WHEREAS, funding for this recommendation is available in the professional services budget item (621-53-585-634-0000-000-472-612990) of the Permit Service Fund set at \$1.23 million for FY21.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager execute an amendment to Contract No. 119641-2 with West Coast Code Consulting for an additional amount of \$500,000 not to exceed \$1,500,000 to provide plan checking services for the Planning and Development Department (from account 621-53-585-634-0000-000-472-612990).

BE IT FURTHER RESOLVED that a record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 119639-1 AMENDMENT: TELESIS ENGINEERS TO PROVIDE
PLAN CHECKING SERVICES

WHEREAS, the City of Berkeley has utilized the services of private plan checking consultants since 1989 to provide expertise and the flexibility to respond to varying work demand; and

WHEREAS, there is a continuing need for flexibility to provide timely plan review when City staff are not available to provide the required services within the timeframe established to meet the City's performance requirements; and

WHEREAS, ten firms responded to a Request for Proposals released on November 1, 2017 (Specification No. 18-11174-C) and a selection committee reviewed the proposals and determined that Telesis Engineers, Interwest Consulting Group, West Coast Code Consulting and 4 Leaf, Inc were the best qualified to provide the services needed; and

WHEREAS, contracts were executed with these vendors in 2018, which will expire June 30, 2021; and

WHEREAS, the cost of the contracted services and overhead is fully recoverable in plan check fees paid by applicants; and

WHEREAS, funding for this recommendation is available in the professional services budget item (621-53-585-634-0000-000-472-612990) of the Permit Service Fund set at \$1.23 million for FY21.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager execute an amendment to Contract No. 119639-1 with Telesis Engineers for an additional amount of \$500,000 not to exceed \$1,500,000 to provide plan checking services for the Planning and Development Department (from account 621-53-585-634-0000-000-472-612990).

BE IT FURTHER RESOLVED that a record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.

